



General Assembly

Substitute Bill No. 7240

January Session, 2007

* _____HB07240HS_APP032007_____*

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS
COMMITTEE CONCERNING THE STATE'S WELFARE REFORM
INITIATIVE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-104 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) The Commissioner of Social Services shall administer the
4 program of state supplementation to the Supplemental Security
5 Income Program provided for by the Social Security Act and state law.
6 The commissioner may delegate any powers and authority to any
7 deputy, assistant, investigator or supervisor, who shall have, within
8 the scope of the power and authority so delegated, all of the power
9 and authority of the Commissioner of Social Services. [On and after
10 January 1, 1994, the] The commissioner shall establish a standard of
11 need based on the cost of living in this state for the temporary family
12 assistance program and the state-administered general assistance
13 program. The commissioner shall make a reinvestigation, at least every
14 twelve months, of all cases receiving aid from the state, except that
15 such reinvestigation may be conducted every twenty-four months for
16 recipients of assistance to the elderly or disabled with stable
17 circumstances, and shall maintain all case records of the several

18 programs administered by the Department of Social Services so that
19 such records show, at all times, full information with respect to
20 eligibility of the applicant or recipient. In the determination of need
21 under any public assistance program, such income or earnings shall be
22 disregarded as federal law requires, and such income or earnings may
23 be disregarded as federal law permits. The commissioner shall
24 encourage and promulgate such incentive earning programs as are
25 permitted by federal law and regulations.

26 (b) On July 1, 1988, and annually thereafter, the commissioner shall
27 increase the payment [standards] standard over those of the previous
28 fiscal year under the [aid to families with dependent children program,
29 temporary family assistance program and the] state-administered
30 general assistance program by the percentage increase, if any, in the
31 most recent calendar year average in the consumer price index for
32 urban consumers over the average for the previous calendar year,
33 provided the annual increase, if any, shall not exceed five per cent,
34 except that the payment [standards] standard for the fiscal years
35 ending June 30, 1992, June 30, 1993, June 30, 1994, June 30, 1995, June
36 30, 1996, June 30, 1997, June 30, 1998, June 30, 1999, June 30, 2000, June
37 30, 2001, June 30, 2002, June 30, 2003, June 30, 2004, June 30, 2005, June
38 30, 2006, and June 30, 2007, shall not be increased. On January 1, 1994,
39 the payment [standards] standard shall be equal to the [standards]
40 standard of need in effect July 1, 1993.

41 (c) [On and after July 1, 1995, the] The payment [standards]
42 standard for families receiving assistance under the temporary family
43 assistance program and the state-administered general assistance
44 program shall be equal to [seventy-three] one hundred per cent of the
45 [AFDC standards] temporary family assistance standard of need in
46 effect June 30, [1995] 2007. The Commissioner of Social Services shall
47 revise the methodology used to establish the standard of need for
48 determining eligibility for cash assistance under the temporary family
49 assistance program and establish payment thresholds consistent with
50 the revised standard of need by January 1, 2008. Such standard may

51 vary by geographic area and family size and shall be based on studies
52 of actual living costs and recognized inflation indices and shall include
53 reasonable allowances for child care, shelter, fuel, food, transportation,
54 clothing, household maintenance and operations, professional
55 maintenance and necessary incidentals. The commissioner, in
56 establishing such standard, shall give due consideration to the receipt
57 of in-kind benefits by families and may establish a separate standard of
58 need for families that reside in subsidized or public housing.

59 (d) [For] Until such time as the commissioner revises the standard of
60 need in accordance with the provisions of subsection (c) of this section,
61 for a family living in subsidized housing, income shall be attributed to
62 such family which shall be eight per cent of the payment standard for
63 such family.

64 Sec. 2. Section 17b-112 of the general statutes is repealed and the
65 following is substituted in lieu thereof (*Effective July 1, 2007*):

66 (a) The Department of Social Services shall administer a temporary
67 family assistance program under which cash assistance shall be
68 provided to eligible families in accordance with the temporary
69 assistance for needy families program, established pursuant to the
70 Personal Responsibility and Work Opportunity Reconciliation Act of
71 1996. The Commissioner of Social Services may operate portions of the
72 temporary family assistance program as a solely state-funded
73 program, separate from the federal temporary assistance for needy
74 families program, if the commissioner determines that doing so
75 will enable the state to avoid fiscal penalties under the temporary
76 assistance for needy families program. Families receiving assistance
77 under the solely state-funded portion of the temporary family
78 assistance program shall be subject to the same conditions of eligibility
79 as those receiving assistance under the federal temporary assistance for
80 needy families program. Under the temporary family assistance
81 program, benefits shall be provided to a family for not longer than
82 twenty-one months, except as provided in subsections (b) and (c) of
83 this section. For the purpose of calculating said twenty-one-month

84 time limit, months of assistance received on and after January 1, 1996,
85 pursuant to time limits under the aid to families with dependent
86 children program, shall be included. For purposes of this section,
87 "family" means one or more individuals who apply for or receive
88 assistance together under the temporary family assistance program. If
89 the commissioner determines that federal law allows individuals not
90 otherwise in an eligible covered group for the temporary family
91 assistance program to become covered, such family may also, at the
92 discretion of the commissioner, be composed of (1) a pregnant woman,
93 or (2) a parent, both parents or other caretaker relative and at least one
94 child who is under the age of eighteen, or who is under the age of
95 nineteen and a full-time student in a secondary school or its
96 equivalent. A caretaker relative shall be related to the child or children
97 by blood, marriage or adoption or shall be the legal guardian of such a
98 child or pursuing legal proceedings necessary to achieve guardianship.
99 If the commissioner elects to allow state eligibility consistent with any
100 change in federal law, the commissioner may administratively transfer
101 any qualifying family cases under the cash assistance portion of the
102 state-administered general assistance program to the temporary family
103 assistance program without regard to usual eligibility and enrollment
104 procedures. If such families become an ineligible coverage group
105 under the federal law, the commissioner shall administratively transfer
106 such families back to the cash assistance portion of the state-
107 administered general assistance program without regard to usual
108 eligibility and enrollment procedures to the degree that such families
109 are eligible for the state program.

110 (b) The Commissioner of Social Services shall exempt a family from
111 such time-limited benefits for circumstances including, but not limited
112 to: (1) A family with a needy caretaker relative who is incapacitated or
113 of an advanced age, as defined by the commissioner, if there is no
114 other nonexempt caretaker relative in the household; (2) a family with
115 a needy caretaker relative who is needed in the home because of the
116 incapacity of another member of the household, if there is no other
117 nonexempt caretaker relative in the household; (3) a family with a

118 caretaker relative who is not legally responsible for the dependent
119 children in the household if such relative's needs are not considered in
120 calculating the amount of the benefit and there is no other nonexempt
121 caretaker relative in the household; (4) a family with a caretaker
122 relative caring for a child who is under [one year] six months of age
123 and who was born not more than ten months after the family's
124 enrollment if there is no other nonexempt caretaker relative in the
125 household; (5) a family with a pregnant or postpartum caretaker
126 relative if a physician has indicated that such relative is unable to work
127 and there is no other nonexempt caretaker relative in the household;
128 (6) a family with a caretaker relative determined by the commissioner
129 to be unemployable and there is no other nonexempt caretaker relative
130 in the household; and (7) minor parents attending and satisfactorily
131 completing high school or high school equivalency programs.

132 (c) A family who is subject to time-limited benefits may petition the
133 Commissioner of Social Services for six-month extensions of such
134 benefits. The commissioner shall grant not more than two extensions to
135 such family who has made a good faith effort to comply with the
136 requirements of the program and despite such effort has a total family
137 income at a level below [the payment standard] the standard of need,
138 or has encountered circumstances preventing employment including,
139 but not limited to: (1) Domestic violence or physical harm to such
140 family's children; or (2) other circumstances beyond such family's
141 control. The commissioner shall disregard ninety dollars of earned
142 income in determining applicable family income. The commissioner
143 may grant a subsequent six-month extension if each adult in the family
144 meets one or more of the following criteria: (A) The adult is precluded
145 from engaging in employment activities due to domestic violence or
146 another reason beyond the adult's control; (B) the adult has two or
147 more substantiated barriers to employment including, but not limited
148 to, the lack of available child care, substance abuse or addiction, severe
149 mental or physical health problems, one or more severe learning
150 disabilities, domestic violence or a child who has a serious physical or
151 behavioral health problem; (C) the adult is working thirty-five or more

152 hours per week, is earning at least the minimum wage and continues
153 to earn less than the family's [temporary family assistance payment]
154 standard of need; or (D) the adult is employed and works less than
155 thirty-five hours per week due to (i) a documented medical
156 impairment that limits the adult's hours of employment, provided the
157 adult works the maximum number of hours that the medical condition
158 permits, or (ii) the need to care for a disabled member of the adult's
159 household, provided the adult works the maximum number of hours
160 the adult's caregiving responsibilities permit. Families receiving
161 temporary family assistance shall be notified by the department of the
162 right to petition for such extensions. Notwithstanding the provisions of
163 this section, the commissioner shall not provide benefits under the
164 state's temporary family assistance program to a family that is subject
165 to the twenty-one month benefit limit and has received benefits
166 beginning on or after October 1, 1996, if such benefits result in that
167 family's receiving more than sixty months of time-limited benefits
168 unless that family experiences domestic violence, as defined in Section
169 402(a)(7)(B), P.L. 104-193. [For] Except for those benefits received
170 pursuant to subparagraph (B) of subdivision (1) of subsection (d) of
171 this section and subsection (e) of this section, for the purpose of
172 calculating said sixty-month limit: (I) A month shall count toward the
173 limit if the family receives assistance for any day of the month, and (II)
174 a month in which a family receives temporary assistance for needy
175 families benefits that are issued from a jurisdiction other than
176 Connecticut shall count toward the limit.

177 (d) Under said program (1) [no family shall be eligible] (A): A
178 family that has total gross earnings [exceeding] at or below the federal
179 poverty level [,however, in] shall receive full benefits in accordance
180 with the provisions of subsection (b) of section 17b-104, as amended by
181 this act. (B) If, during the initial twenty-one months of program
182 eligibility, a family has total gross earnings exceeding one hundred per
183 cent of the poverty level, the department shall not automatically
184 discontinue such family from program eligibility but instead, such
185 family shall receive reduced program benefits in an amount equal to

186 two-thirds of the original amount of program benefits for a period of
187 time not to exceed three months and thereafter such family shall
188 receive reduced program benefits in an amount equal to one-third of
189 the original amount of program benefits for a period of time not to
190 exceed three months at which time benefits shall be discontinued. (C)
191 In the calculation of the benefit amount for eligible families and
192 previously eligible families that become ineligible temporarily because
193 of receipt of workers' compensation benefits by a family member who
194 subsequently returns to work immediately after the period of receipt of
195 such benefits, earned income shall be disregarded up to the federal
196 poverty level; (2) the increase in benefits to a family in which an infant
197 is born after the initial ten months of participation in the program shall
198 be limited to an amount equal to fifty per cent of the average
199 incremental difference between the amounts paid per each family size;
200 and (3) a disqualification penalty shall be established for failure to
201 cooperate with the biometric identifier system. Except when
202 determining eligibility for a six-month extension of benefits pursuant
203 to subsection (c) of this section, the commissioner shall disregard the
204 first [fifty] one hundred dollars per month of income attributable to
205 current child support that a family receives in determining eligibility
206 and benefit levels for temporary family assistance. Any current child
207 support in excess of [fifty] one hundred dollars per month collected by
208 the department on behalf of an eligible child shall be considered in
209 determining eligibility but shall not be considered when calculating
210 benefits and shall be taken as reimbursement for assistance paid under
211 this section, except that when the current child support collected
212 exceeds the family's monthly award of temporary family assistance
213 benefits plus [fifty] one hundred dollars, the current child support
214 shall be paid to the family and shall be considered when calculating
215 benefits.

216 (e) A family who is subject to time-limited benefits, who, at the
217 expiration of the twenty-one-month time limit, has total gross earnings
218 in excess of the standard of need but below federal poverty level may
219 petition the Commissioner of Social Services for income supplement

benefits. Such benefits shall represent a continuation of temporary family assistance benefits but at a reduced benefit level. Eligible families may receive not more than six months of income supplement benefits payable as follows: (1) For the first three months of eligibility, a family shall receive income supplement benefits in an amount that is equal to two-thirds of the amount that the family originally received under the temporary family assistance program; and (2) a family that is deemed eligible to receive income supplement benefits beyond three months shall receive not more than an additional three months of benefits in an amount that is equal to one-third of the amount that the family originally received under the temporary family assistance program.

[(e)] (f) A family receiving assistance under said program shall cooperate with child support enforcement, under title IV-D of the Social Security Act. A family shall be ineligible for benefits for failure to cooperate with child support enforcement.

[(f)] (g) A family leaving assistance at the end of (1) said twenty-one-month time limit, including a family with income above the [payment] standard of need, (2) the six-month extension provided pursuant to subsection (e) of this section, or [(2)] (3) the sixty-month limit shall have an interview for the purpose of being informed of services that may continue to be available to such family, including employment services available through the Labor Department. Said interview shall contain a determination of benefits available to said family provided by the Department of Social Services. Said interview shall also include a determination of whether such family is eligible for food stamps or Medicaid. Information and referrals shall be made to such a family for services and benefits including, but not limited to, the earned income tax credit, rental subsidies emergency housing, employment services and energy assistance.

[(g)] (h) An applicant or recipient of temporary family assistance who is adversely affected by a decision of the Commissioner of Social Services may request and shall be provided a hearing in accordance

253 with section 17b-60.

254 Sec. 3. Section 17b-112e of the general statutes is repealed and the
255 following is substituted in lieu thereof (*Effective July 1, 2007*):

256 (a) The Department of Social Services shall provide safety net
257 services for certain families [no longer receiving benefits or] identified
258 as having significant barriers to employment and families who are at
259 risk of losing benefits under the temporary family assistance program
260 or no longer receiving program benefits. Such families shall include
261 those: (1) Identified as having significant barriers to employment
262 during the initial assessment by the department's eligibility worker or
263 during the first twelve months of employment services by an
264 employment services case manager; (2) who have made a good faith
265 effort to seek and maintain employment but have not been able to do
266 so or who are at risk of failing to complete the employment services
267 program; (3) who have exhausted their eligibility for temporary family
268 assistance program benefits; and (4) who are not eligible for six-month
269 extensions of temporary family assistance benefits due to: [(1)] (A) The
270 receipt of two sanctions from the department during the first twenty
271 months of the twenty-one-month time limit of said temporary family
272 assistance program; or [(2)] (B) the determination by the department
273 that such a family has not made a good-faith effort to seek and
274 maintain employment.

275 (b) Said safety net shall consist of services provided through the
276 existing community service delivery network with additional
277 resources provided by the Department of Social Services. Services shall
278 be provided in-kind or through vendor or voucher payment. Services
279 may include the following: (1) Food, shelter, clothing and employment
280 assistance; (2) eviction prevention; (3) an in-depth family needs
281 assessment; (4) intensive case management that includes visits to the
282 family's home; [(4)] (5) continuous monitoring for child abuse or
283 neglect; and [(5)] (6) for families at risk of losing benefits under the
284 temporary family assistance program, individual performance
285 contracts [that shall be] administered by the Labor Department [and]

286 that require job training, job searching, volunteer work, participation
287 in parenting programs or counseling or any other requirements
288 deemed necessary by the Labor Commissioner.

289 (c) Families successfully meeting the program requirements
290 established by the individual performance contracts in subdivision
291 [(5)] (6) of subsection (b) of this section prior to the end of the twenty-
292 one-month time limit shall be considered to have made a good faith
293 effort to comply with the requirements of the program for the
294 purposes of qualifying for a six-month extension, provided they have
295 made a good faith effort to comply with the individual performance
296 contract or have not incurred a sanction subsequent to completing the
297 individual performance contract.

298 (d) The Commissioner of Social Services shall implement policies
299 and procedures necessary for the purposes of this section while in the
300 process of adopting such policies and procedures in regulation form,
301 provided the commissioner prints notice of intention to adopt the
302 regulations in the Connecticut Law Journal within twenty days of
303 implementing such policies and procedures. Policies and procedures
304 implemented pursuant to this subsection shall be valid until the time
305 final regulations are effective.

306 Sec. 4. Section 17b-698 of the general statutes is repealed and the
307 following is substituted in lieu thereof (*Effective July 1, 2007*):

308 The [Commissioner of Social Services] Labor Commissioner shall
309 collect data from each job training and placement service funded by
310 the [Department of Social Services] Labor Department and serving
311 recipients of the temporary family assistance program for the purpose
312 of assessing the success of job placement services in assisting a
313 recipient of either such program to attain self-sufficiency. Data
314 collected shall include, but not be limited to: (1) The number of clients
315 served; (2) the number of clients placed in jobs; (3) types of job training
316 received by recipients and if such training led to employment; (4) cost-
317 effectiveness of job training; (5) types of jobs obtained by recipients; (6)

318 salary and benefits of those jobs obtained; and (7) length of those jobs
319 obtained.

320 Sec. 5. Subsection (a) of section 31-254 of the general statutes is
321 repealed and the following is substituted in lieu thereof (*Effective July*
322 *1, 2007*):

323 (a) Each employer, whether or not otherwise subject to this chapter,
324 shall keep accurate records of employment as defined in subsection (a)
325 of section 31-222, containing such information as the administrator
326 may by regulation prescribe in order to effectuate the purposes of this
327 chapter. Such records shall be open to, and available for, inspection
328 and copying by the administrator or his authorized representatives at
329 any reasonable time and as often as may be necessary. The
330 administrator may require from any employer, whether or not
331 otherwise subject to this chapter, any sworn or unsworn reports with
332 respect to persons employed by him which are necessary for the
333 effective administration of this chapter. Information [thus] obtained
334 shall not be published or be open to public inspection, other than to
335 public employees in the performance of their public duties, or to a
336 regional workforce development board, or designee of such board,
337 exclusively for the purpose of evaluating services provided to
338 individuals participating in the Jobs First employment services
339 program, in any manner revealing the employee's or the employer's
340 identity, but any claimant at a hearing before a commissioner shall be
341 supplied with information from such records to the extent necessary
342 for the proper presentation of his claim. Any employee of the
343 administrator, [or any other] public employee or regional workforce
344 development board member, or designee of such board member, who
345 violates any provision of this section shall be fined not more than two
346 hundred dollars or imprisoned not more than six months or both and
347 shall be dismissed from the service. Reports or records which have
348 been required by the administrator and which have been used in
349 computing benefit rights of claimants or in the determination of the
350 amounts and rates of contributions shall be preserved by the

351 administrator for a period of at least four years. Those records or
352 reports required by the administrator which have not been used for the
353 purpose of computing benefit rights or in the determination of the
354 amounts or rates of contributions shall be preserved by the
355 administrator for at least two and one-half years. Such records or
356 reports may, after preservation for the minimum period required by
357 this section, be destroyed by the administrator in his discretion,
358 notwithstanding the provisions of section 11-8a. Notwithstanding any
359 of the disclosure provisions of this chapter, the administrator shall
360 provide upon request of the public agency administering the TANF
361 and child support programs, any information in his possession relating
362 to individuals: (1) Who are receiving, have received, or have applied
363 for unemployment insurance; (2) the amount of benefits being
364 received; (3) the current home address of such individuals; [.] and (4)
365 whether any offer of work has been refused and, if so, a description of
366 the job and the terms, conditions, and rate of pay therefor.
367 Notwithstanding any of the disclosure provisions of this chapter, the
368 administrator shall provide, upon request of the Connecticut Student
369 Loan Foundation, its officers or employees, any information in his
370 possession relating to the current residence address or place of
371 employment of any individual who has been determined by the
372 Connecticut Student Loan Foundation to be in default on his student
373 loan. Reimbursement for the cost of furnishing this information shall
374 be made by the agency requesting the data in a manner prescribed by
375 the administrator of this chapter.

376 Sec. 6. Subsection (a) of section 17b-112b of the general statutes is
377 repealed and the following is substituted in lieu thereof (*Effective July*
378 *1, 2007*):

379 (a) An applicant or recipient who is a past or present victim of
380 domestic violence or at risk of further domestic violence, pursuant to
381 subsection (c) of section 17b-112a, shall, for good cause: (1) Be excused
382 from failing to participate in a work activity; or (2) be exempted from
383 child support enforcement requirements pursuant to subsection [(e)]

384 (f) of section 17b-112. Such an applicant or recipient may, for good
 385 cause, be granted an extension of cash assistance beyond twenty-one
 386 months, provided the domestic violence experienced is of sufficient
 387 magnitude to reasonably render the individual unable to obtain or
 388 maintain employment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	17b-104
Sec. 2	<i>July 1, 2007</i>	17b-112
Sec. 3	<i>July 1, 2007</i>	17b-112e
Sec. 4	<i>July 1, 2007</i>	17b-698
Sec. 5	<i>July 1, 2007</i>	31-254(a)
Sec. 6	<i>July 1, 2007</i>	17b-112b(a)

PRI *Joint Favorable Subst. C/R*

HS

HS *Joint Favorable C/R*

+APP